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The Honorable Sue L. Robinson
Chief United States District Court Judge
United States District Court
For the District of Delaware
J. Caleb Boggs Federal Building
844 King Street
Wilmington, Delaware 19801

Re: United States v. William L. Garrett, Jr.
Cr.A. No. 06-123-SLR

Dear Judge Robinson:

I am pleased to report that Mr. Garrett successfully completed his six month period of incarceration last Wednesday, January 30, 2008. He is scheduled to meet with Mr. Frank Kurzeknabe of the United States Probation Office tomorrow morning to begin the four months of home confinement and subsequent supervised release.

I am writing on behalf of Mr. Garret to respectfully request that the provision of home confinement requiring electronic monitoring be waived. I am not asking that the home confinement condition of my client's sentence be changed; but, I merely am seeking to remove the condition that the home confinement be monitored electronically. I have discussed this with Mr. Kurzeknabe and believe he would not oppose removal of the electronic monitoring as a condition.

The reason for my application to Your Honor in this regard is that the Garrett family's finances are extremely tight, especially with Mr. Garret having been out of the workplace for the past six months. It would be of some considerable help if the electronic monitoring expenses were not added to the other current financial obligations of Mr. Garrett and his family.

In support of my request, I note that Mr. Garrett has fully cooperated and complied with all conditions of his pre-trial release and post-sentencing supervision. I respectfully suggest that he would be an appropriate candidate for home confinement without the necessity or expense of electronic monitoring, for the following reasons:

1. He attended all Court proceedings;

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2. He complied with all conditions related to his release on his own recognizance;
3. He attended and cooperated fully at all meetings with Mr. Frank Kurzeknabe during his pre-trial release and post-Sentencing/pre-incarceration periods;
4. He attended and cooperated fully at all meetings with his Pre-Sentence Officer, Mr. Martin J. Durkin;
5. He self-surrendered at Lewisburg Federal Prison in a timely manner;
6. He completed his incarceration with no incident reports of any kind;
7. He reported as required to the United States Probation Office the morning following his release from Lewisburg; and,
8. He has already met with Carol Waldhauser of the Delaware Bar Association's Lawyer's Assistance Program since his release from Lewisburg.

On Monday, February 4, 2008, Mr. Garrett returned to his full-time job as a legal assistant at Ferry, Joseph & Pearce, P.A. The firm's office is in the same building as that of the United States Probation Office, which is directly across the street from the Federal Building. He will continue to reside with his wife and two minor sons. He has been continuously abstinent from alcohol and drugs for more than 22 years. I have every reason to believe Mr. Garrett will cooperate fully with any and all conditions related to his home confinement and supervised release with or without electronic monitoring.

Lastly, I have been unable to ascertain the government's position concerning my request since Beth Moskow-Schnoll, Esquire, the Assistant United States Attorney who prosecuted this case, has left the United States Attorney's Office for private practice. I did advise Theresa Jordan of the United States Attorney's Office of my intent to make this application and Ms. Jordan related that she would advise the appropriate Assistant United States Attorney of the same.

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I would be glad to provide any other information that the Court may require to evaluate this request.

Your Honor's consideration of this matter is most appreciated.

Respectfully submitted,

/s/ John S. Malik

JOHN S. MALIK

cc: Mr. Frank J. Kurzeknabe, United States Probation Officer
Mr. Martin P. Durkin, United States Probation Officer
Keith Rosen, Esquire, Assistant United States Attorney
Mr. William L. Garrett, Jr.